

1634

PATENT **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/005,371
Applicant : Herman Volkers et al.
Filed : December 5, 2001
Title : APPLICATIONS WITH AND
METHODS FOR PRODUCING
SELECTED INTERSTRAND
CROSS-LINKS IN NUCLEIC
ACIDS

TC/A.U. : 1634
Examiner : Bradley L. Sisson
Confirmation No. : 8836
Docket No. : 570-21 CPA/CON
Dated : December 8, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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United States Postal Service as first class mail, postpaid in an
envelope, addressed to:*

*Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450 on December 8, 2004*

Signed: **RESPONSE TO NOVEMBER 26, 2004 OFFICE COMMUNICATION**

Sir:

The September 7, 2004 Office Action issued in the above-identified application did not take into account the August 21, 2002 Second Preliminary Amendment. During a November 3, 2004 interview with the Examiner, the Examiner stated that the Applicants should file a response stating that the Second Preliminary Amendment should have been entered, and that such response would not be incomplete. (See November 3, 2004 Interview Summary.) Accordingly, in response to the September 7, 2004 Office Action, Applicants filed a paper, on October 27, 2004, stating that the Office Action did not take into account the Second Preliminary Amendment.

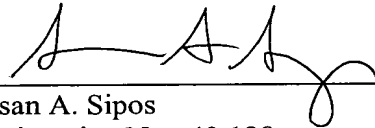
However, on November 26, 2004 the PTO issued an "Office Communication" stating that the October 27, 2004 reply was incomplete because "the format of the Amendment is improper." Applicants do not understand why this paper was issued. In

the November 3, 2004 "Interview Summary" it was clearly stated that a request for entry of the August 21, 2002 Amendment would not be considered to be incomplete.

Also, the PTO's revised amendment practice was effective as of July 30, 2003. Therefore, the August 21, 2002 Second Preliminary Amendment was not to be filed under the new rules. However, for the sake of expediency, the Applicants have enclosed the August 21, 2002 Amendment in the format that was required on July 30, 2003.

Applicants respectfully submit that the application is in all respects complete and in condition for examination and favorable consideration, which action is earnestly solicited. If the Examiner has any questions concerning any aspect of this application, it is requested that the Examiner contact Applicants' representative at the telephone number provided below.

Respectfully submitted,



Susan A. Sipos
Registration No.: 43,128
Attorney for Applicant

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Signed: 

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Sir:

Applicants conducted a telephone interview with Examiner Sisson on November 3, 2004 regarding the above-identified application.

During the interview the Applicants pointed out that an Office Action mailed on September 7, 2004 did not take into account the Second Preliminary Amendment filed on August 21, 2002. The Office Action indicated that Claims 13-15 were pending in the application. This is not correct. Claims 13-15 were cancelled in by Second Preliminary Amendment. The amendment added new Claims 24-33.

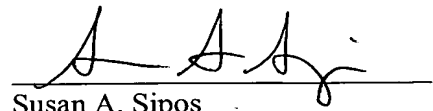
In conformity with the Examiner's instructions, the Applicants filed a "Response to Office Action" on October 27, 2004 in which the August 21, 2002 Second Preliminary Amendment was enclosed along with a postcard stamped by the PTO on August 27, 2002 evincing receipt of the Second Preliminary Amendment.

Applicants also requested that a new first Office Action be issued, taking into account the August 21, 2002 Second Preliminary Amendment, and examining new Claims 24-33.

On November 10, 2004, the PTO issued an "Interview Summary" summarizing the above discussion. The Interview Summary also stated that a reply from the Applicants requesting that the August 21, 2002 Second Preliminary Amendment be entered would "not be considered to be incomplete."

Applicants respectfully submit that the application is in all respects complete and in condition for examination and favorable consideration, which action is earnestly solicited. If the Examiner has any questions concerning any aspect of this application, it is requested that the Examiner contact Applicants' representative at the telephone number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. A. Sipos', is written over a horizontal line.

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